

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 4, 2009

DIVISION TWO

B214742 Los Angeles County, D.C.F.S. (Not for Publication)
v.
L.I.

The order is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
 Chavez, J.

B208413 People (Certified for Publication)
v.
Pedro Gonzalez

We reverse the trial court's sentence and remand the matter to the trial court to restructure appellant's sentence so as to not violate section 1170.1, subdivision (g). The judgment is affirmed in all other respects.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

November 4, 2009 (Continued)

DIVISION TWO (continued)

B213270 People (Not for Publication)
v.
Keoki Jarbar Williams

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
Chavez, J.

DIVISION THREE

B207288 Tracfone Wireless, Inc. (Not for Publication)
v.
City of Los Angeles

The judgment is reversed. Plaintiff is awarded costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

B208147 People (Not for Publication)
v.
Juan Jose Badajoz

The judgment is affirmed, except that appellant's sentence is vacated and the matter is remanded to permit the trial court to clarify its sentence with respect to count 2 and to resentence appellant accordingly. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

November 4, 2009 (Continued)

DIVISION THREE (continued)

B205548 People (Not for Publication)
v.
Dana Douglas White

The judgment is affirmed, except that appellant's convictions for attempted voluntary manslaughter (Pen. Code, §§ 192, 664; a lesser offense of count 1 - attempted willful, deliberate, and premeditated murder) and shooting from a motor vehicle (Pen. Code, § 12034, subd. (c); count 2) are reversed, the court's order denying appellant's motion for a new trial pursuant to Penal Code section 1181, subdivision 6, is vacated, and the matter is remanded to the trial court for a new trial (Pen. Code, § 1262) as to counts 1 and 2, and for a new hearing, consistent with this opinion, on appellant's motion for a new trial as to his conviction for possession of a firearm by a felon (count 3).

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION FOUR

B210543 People v. King (Not for Publication)

The sentence is modified to impose and stay a 10-year sentence enhancement and a 20-year sentence enhancement pursuant to section 12022.53, subdivisions (b) and (c), respectfully, for each count of second degree murder. The 10-year sentence enhancements imposed for the special street gang allegations for each count are stricken, and a minimum parole eligibility of 15 years is imposed for each count of second degree murder pursuant to section 186.22 subdivision (b)(5). The abstract of judgment shall be amended to reflect these modifications. In all other respects, the judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

November 4, 2009 (Continued)

DIVISION FOUR (continued)

B207923 People v. Porter (Not for Publication)

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

B209109 Grief (Not for Publication)
v.
Columbo

The judgment is affirmed. Respondent(s) to recover costs.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

DIVISION SIX

B209735 Ronald Simandle and Warren Simandle (Certified for Publication)
v.
Vista de Santa Barbara Associates LP

The judgment is affirmed. Respondent is awarded costs and attorney fees on appeal in an amount to be determined by the trial court on noticed motion. (§ 798.85; *Del Cerro Mobile Estates v. Proffer* (2001) 87 Cal.App.4th 943, 951.)

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

November 4, 2009 (Continued)

DIVISION SIX (continued)

B215066 Child Protective Services (Not for Publication)
v.
C.L.

The order denying mother's section 388 petition and the order terminating her parental rights are affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B210787 Keller (Not for Publication)
v.
Tuesday Morning, Inc.

The judgment (order granting decertification) is affirmed. Costs on appeal are awarded to respondent.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B212308 Shon (Not for Publication)
v.
21st Century Insurance Company

The judgment is affirmed. Costs on appeal are awarded in favor of 21st Century.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

November 4, 2009 (Continued)

DIVISION SIX (continued)

B210277 People (Not for Publication)
v.
Gonzalez

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B209659 People (Not for Publication)
v.
Ceja

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Woods, J., Jackson, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B214567 DCFS v. T. V.
B214847 DCFS v. James S.
B216226 DCFS v. C. C.
B209133 Fiore v. Kahana

Argument waived, cause submitted.

DIVISION SEVEN (continued)

B209539 Slaughter, et al.
 v.
 Kohl, et al.

Merits:
Argued by Don Howarth for appellants and by Garth Vincent for respondents. Cause submitted.

Justice Zelon assumes the bench.

B207270 Abdelrahim
 v.
 Guardsmark, et al.

Merits:
Argued by Timothy Rand-Lewis for appellant and by Laura Flynn for respondents. Cause submitted.

B208997 Related Urban Managment
 v.
 Ramy

Merits:
Argued by Michael Luppi for appellant and by Helen Cho for respondent. Cause submitted.

B207874 Herklotz
 v.
 Von Bernuth
 Gehring

Merits:
Argued by Charles Ruben for appellant and by Davis Fisher and David Stowell for respondents. Cause submitted.

DIVISION SEVEN (continued)

B210059 Jessen
 v.
 Mentor Corporation

Merits:
Argued by Timothy Rand-Lewis for appellant and by James Romag for respondent. Cause submitted.

B209627 Solomon
 v.
 Solomon

Merits:
Argued by William Beverly for appellant and by Mark Riera for respondent. Cause submitted.

B209616 Century National Insurance
 v.
 Garcia, et al.

Merits:
Argued by Stephen Losh for appellants and by Valerie Moore for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

B211513 Nardi
 v.
 DeSantis, et al.

Merits:
Argued by Kevin Kallberg for appellant and by Raul Martinez for respondents. Cause submitted.

DIVISION SEVEN (continued)

B212801 Briones, et al.
 v.
 Ramos, et al.

Merits:
Argued by Rummel Bautista for appellants and by David Rients for respondents. Cause submitted.

B210748 Campbell
 v.
 Campbell

Merits:
Argued by Ralph Evans for appellant and by Daryl Miller for respondent. Cause submitted.

B211764 Ward
 v.
 Munoz Individually and as Trustee

Merits:
Argued by Glenn Calsada for appellant and by Katerina Perreault for respondent. Cause submitted.

B211949 Stowell
 v.
 Markson

Merits:
Argued by Robert Rice for appellant and by David Ernst for respondent. Cause submitted.

Court adjourned.